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DATE FILED: JUN 17 2008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HENRY SHATKIN, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON  
CORPORATION and THE BANK OF NEW  
YORK, N.A.,

Defendants

No. 07 Civ. 7928 (PAC)

NOTICE OF MOTION FOR  
APPOINTMENT OF INTERIM  
COUNSEL

SO ORDERED: JUN 17 2008  
*Paula A. Crotty*  
HON. PAULA A. CROTTY  
UNITED STATES DISTRICT JUDGE

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that plaintiffs move the Court to issue an order appointing interim co-lead counsel for plaintiffs asserting claims against defendants Bank of New York Mellon Corporation and The Bank of New York, N.A.

This motion is made on the grounds that the proposed structure complies with the requirements of Fed.R.Civ.P. 23(g) and will provide for the efficient prosecution of the action by experienced counsel possessing sufficient resources to effectively pursue the instant large-scale class action litigation.

This motion is based upon this notice of motion, the accompanying memorandum of law, Proposed Order, and such other matters and arguments as the Court may consider.

MEMO ENDORSED

MEMO ENDORSED

DATED: February 15, 2008

Respectfully submitted,

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/s/Christopher Lovell

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-- and --

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